

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U-338-E) for Authorization: (1) to Replace San Onofre Nuclear Generating Station Unit Nos. 2 & 3 (SONGS 2 & 3) Steam Generators; (2) Establish Ratemaking for Cost Recovery; and (3) Address Other Related Steam Generator Replacement Issues.

Application 04-02-026
(Filed February 27, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING ADDRESSING
MOTION FOR PERMISSION TO SUBMIT SUPPLEMENTAL TESTIMONY**

On December 7, 2004, The Utility Reform Network, the Office of Ratepayer Advocates, the California Earth Corps, and Aglet Consumer Alliance (collectively the Parties) filed a motion for permission to submit supplemental testimony. The Parties state that Southern California Edison Company (SCE) has failed to provide complete responses to data requests dated no later than November 24, 2004. Therefore, they ask for permission to submit supplemental testimony within two weeks after SCE has provided complete responsive answers to these data requests.

SCE responds that the subject data requests were not made until November and early December. As a result, SCE requests that the motion be denied. In the alternative, SCE asks that the Parties' supplemental testimonies be allowed only to reference documents or information responsive to data requests propounded before November 17, 2004. SCE asks that the supplemental

testimony be served by January 7, 2005, and that it be allowed to serve rebuttal on January 24, 2005.

Since the Parties waited so long to serve most of their data requests, I would be fully justified in denying this motion. However, I do not intend to allow the public to be disadvantaged because of their dilatoriness. Therefore, I will allow the filing of supplemental testimony and SCE's rebuttal, and encourage SCE to respond to these data requests as soon and as completely as possible. SCE's rebuttal will be served less than the ten days normally allowed before hearings. However, the Parties are the primary cause of this situation, and may avoid it by not filing supplemental testimony for SCE to rebut.

Therefore, **IT IS RULED** that;

1. The Utility Reform Network, the Office of Ratepayer Advocates, the California Earth Corps, and Aglet Consumer Alliance shall serve supplemental testimony no later than January 7, 2004.
2. Southern California Edison Company shall serve rebuttal to the supplemental testimonies no later than January 24, 2004.

Dated December 16, 2004, at San Francisco, California.

/s/ JEFFRE P. O'DONNELL

Jeffrey P. O'Donnell.
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Addressing Motion for Permission to Submit Supplemental Testimony on all parties of record in this proceeding or their attorneys of record.

Dated December 16, 2004, at San Francisco, California.

/s/ JANET V. ALVIAR

Janet V. Alviar

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.
